

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 21-44557

ANTHONY MATTIA,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER GRANTING THE DEBTOR'S CONTEMPT MOTION

This case came before the Court on June 15, 2022, for a telephonic hearing on the Debtor's motion entitled "Motion To Hold Priority Waste In Contempt" (Docket # 60, the "Motion"). The attorney for the Debtor and the attorney for Priority Waste each appeared at the hearing. Confirming action taken by the Court during the hearing, and for the reasons stated by the Court on the record during the hearing,

IT IS ORDERED that:

1. The Motion is granted to the extent of the relief provided in this Order, and otherwise is denied.
2. The Court finds Priority Waste in civil contempt for violations of the discharge order filed on August 31, 2021 (Docket # 23) and for violations of the discharge injunction under 11 U.S.C. § 524(a)(2).
3. The specific conduct by Priority Waste that violated the discharge order and the discharge injunction was sending to the Debtor the invoices dated December 31, 2021, February 28, 2022, March 15, 2022, and March 31, 2022.¹
4. Priority Waste must pay the reasonable attorney fees incurred by the Debtor in preparing, filing and prosecuting the Motion, and in the Debtor's counsel's preparing and sending the March 7, 2022 letter and the March 21, 2022 e-mail, and in reviewing the March 9, 2022 response e-mail.² The amount of such reasonable attorney fees will be determined in a future order, and will be determined by the following procedure:
 - a. No later than June 22, 2022, the Debtor must file an itemization of such attorney fees that complies with the requirements of L.B.R. 7054-1(a)(1) and 7054-1(a)(3) through 7054-1(a)(5) (E.D. Mich.).

¹ Copies of these invoices are contained in Exhibit 6 to the Motion.

² Copies of these documents are contained in Exhibit 6 to the Motion. *See also* Motion at ¶¶ 13-16.
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- b. No later than June 29, 2022, Priority Waste must file any objections or response to the Debtor's itemization.
- c. After the June 29, 2022 deadline has passed, the Court may schedule a further hearing, and either with or without holding a further hearing, the Court will then enter an order determining the amount of such reasonable attorney fees that Priority Waste must pay.³

Signed on June 15, 2022



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge

³ As an alternative to the procedures specified in this Order, if at any point the parties agree on the amount of such reasonable attorney fees, then the parties may file a stipulation and submit a proposed order.